

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
AUGUST 22, 2007
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
MARY LOU PEW	-	COUNCILWOMAN (<i>Deputy Supervisor</i>)
EDWARD KRYCIA, JR.	-	COUNCILMAN
VINCENT V. VACCO	-	COUNCILMAN
RICHARD S. VENTRY	-	COUNCILMAN

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
Anna M. Knack	-	Administrative Assistant

Call To Order:

Supervisor Nellis called the Work Session of the Eden Town Board to order at 7:30 P.M.

Pledge of Allegiance:

Supervisor Nellis led the assembly in the Pledge of Allegiance to the flag followed by a moment of silence.

New and Unfinished Business:

1. **Resolution opposing proposed state law taking siting powers on windmills away from local municipalities**

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Supervisor Nellis read the following resolution:

**RESOLUTION
OPPOSING PROPOSED STATE WINDMILL SITING PROCEDURE**

WHEREAS, Article X of the Public Service Law provides a streamlined siting permit procedure for certain power generation facilities and the law expired on December 31, 2002;

WHEREAS, since January 1, 2003 power generation facilities have been sited via local zoning and state DEC review; and

WHEREAS, there is currently a proposal by Governor Spitzer before the Legislature to renew and revise Article X of the Public Service Law that would also include the siting of windmills; and

WHEREAS, this inclusion essentially eliminates local zoning control over windmills and has an impact on community host payments; and

WHEREAS, the Town of Eden, along with numerous municipalities throughout New York State, has undergone considerable time and expense to develop and implement windmill siting policies that best fit our community;

NOW, THEREFORE BE IT RESOLVED THAT;

1. The Town Board of the Town of Eden is opposed to any inclusion of the siting of windmills in Article X of the Public Service Law as it removes local control of our landscape and violates the principles of Home Rule that has been the guiding force of our State; and
2. The Town Board of the Town of Eden encourages any revision of Article X to address health and environmental issues for those who live and work near power generation facilities; and
3. That the Town Clerk forward copies of this Resolution to Governor Eliot Spitzer, Assemblyman Quinn, Senator Stachkowski and to the Towns and Villages in Erie County.

MOTION was made by Councilwoman Pew to accept the resolution as presented; seconded by Councilman Ventry; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

2. **Discussion on draft new local law on Stormwater Management**

- Supervisor Nellis suggested that this item be tabled and moved to “Old Business” to be reviewed and discussed at a future Town Board Meeting.

3. **Resolution naming American Farmland Trust our consultant on developing a Farmland Protection Plan**

- Supervisor Nellis read the following resolution:

- **AUTHORIZATION TO HIRE
AMERICAN FARMLAND TRUST**

WHEREAS, developing a farmland protection plan requires special knowledge and experiences; and

WHEREAS, the staff of American Farmland Trust has shown such knowledge and experience throughout the State of New York and particularly in Western New York working in recent years with the Towns of Evans, Brant and North Collins; and

WHEREAS, considering the ongoing collaborative effort between these towns and the Town of Eden, particularly through the Southtowns Community Enhancement Coalition; and

NOW, THEREFORE BE IT RESOLVED that the Town of Eden hire American Farmland Trust and its local staff to help write the grant proposal to secure \$25,000 in State Funds as well as conduct the necessary data collection, fact finding and citizen input to prepare and have approved by the Town Board a Farmland Protection Plan for the Town of Eden.

MOTION was made by Supervisor Nellis to accept the resolution as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

4. **Liquor License Renewal for Four Corners Café**

- Supervisor Nellis stated that the renewal for a Liquor License for the Four Corners Café had been received and that this item is informational.

5. **Eden Library Improvements**

- Supervisor Nellis suggested that this item be tabled and moved to “Old Business” to be reviewed and discussed at a future Town Board Meeting.

6. **Microfilm reader – surplus equipment**

- Supervisor Nellis stated that Ferris Randall has notified the Supervisor’s office

that the Historian's office located in the Randall Building currently has two microfilm readers that haven't been used in years. Mr. Randall is requesting that the Town Board declare the following surplus equipment and offer it for sale with a minimum bid of \$50.00:

Minolta Microfilm Reader & Printer Model RP405
University Microfilm Reader Model 1013

Before setting a bid opening it was suggested by the Town Board to consider these items for purchase on e-bay with a minimum bid of \$50.00.

MOTION was made by Councilman Vacco to declare the above-mentioned items as surplus equipment and offer it for sale on e-bay with a minimum bid of \$50.00; seconded by Councilman Ventry; All "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

7. **Resolution – Kazoo Factory**

- Supervisor Nellis read the following resolution:

**RESOLUTION
RECOGNIZING THE KAZOO FACTORY
100 YEARS IN Eden Town Clerk**

WHEREAS, the Town of Eden has been the Kazoo Capital of the World for 100 years; and

WHEREAS, Suburban Adult Services, a non-profit human services corporation, has inherited this tradition of small town manufacturing; and

WHEREAS, The Kazoo Factory along with the Kazoo Museum, fronted by the Kazoo Boutique, gives a unique quality to the Business District of the Town of Eden, enriching our history; and

WHEREAS, The Kazoo Factory is truly one of the few remaining working museums in the nation which still today manufactures a complete line of kazoos; and

WHEREAS, the Town of Eden is deeply grateful for all the Kazoo Factory, its' Museum and the Boutique have contributed to the history of our community;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Eden designates August 25th as "KAZOO DAY" in our town and congratulates all

those involved – Suburban Adult Services, Inc., (Factory), the Eden Community Foundation (Museum), and Richard and Karen Smith (owners of the Boutique) for their efforts to keep the Kazoo alive as the most American of all musical instruments.

MOTION was made by Councilman Vacco to accept the resolution as presented; seconded by Councilman Krycia; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

8. **Resolution - SPCA**

Supervisor Nellis read the following resolution:

**TOWN OF EDEN RESOLUTION
IN SUPPORT OF THE ANIMAL ALLIANCE OF WESTERN NEW YORK
AND THE ERIE COUNTY SPCA**

WHEREAS, the Society for the Prevention of Cruelty to Animals serving Erie County is the lead agency applying for a grant from the Maddie’s Fund to support community wide collaborations for adoption guarantee organizations, traditional shelters, animal control agencies, and private practice veterinarians working together to end the killing of healthy and treatable shelter dogs and cats; and

WHEREAS, the Eden Town Board wishes to express its support for this application and also appreciation for the excellent work performed by the Erie County SPCA in the community in support of our animal control program;

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board and the Animal Control Program will support the efforts of the Animal Alliance of Western New York and the Erie County SPCA through partnering with them to save the lives of cats and dogs through ongoing communication, record keeping and best practices; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign the Statement of Support prepared by the Erie County SPCA; and

BE IT FURTHER RESOLVED that the Town Clerk forward certified copies of this resolution to the Western New York Delegation, the Town Supervisors and City and Village Mayors of Erie County.

MOTION was made by Supervisor Nellis to approve the resolution as presented; seconded by Councilwoman Pew; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor’s Report:

- Supervisor Nellis reported that Haag Road would be closed from August 22, 2007 through August 25, 2007 or until completed for replacement of culvert pipes.
- Route 62 roadwork is progressing in North Collins.
- Supervisor Nellis will be hosting the Association of Erie County Governments meeting August 23, 2007 at O’Brien’s Pub.

Hearing of Visitors:

Frank Mantione

Adjournment:

MOTION was made by Councilwoman Pew to adjourn the Work Session Meeting of the Eden Town Board; seconded by Councilman Vacco; All “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Work Session Meeting of the Eden Town Board at 8:05 P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 9:40 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk